

Appln. No: 10/552,665
Electronically Filed on July 11, 2011
Response to Office Action Mailed October 13, 2010

REMARKS

In response to the Office Communication mailed October 13, 2010 (**Final Action**) and further to the Notice of Appeal filed April 11, 2011, Applicants submit the following remarks. The one-month extended deadline to file a response is July 11, 2011. Applicants previously submitted a one-month Petition for Extension of Time and the appropriate fee. Therefore Applicants believe that this response is being timely filed. Applicants also submit herewith a Request for Continued Examination (RCE) and the appropriate fee. The RCE is submitted to allow entry and consideration of the amendments provided herein. Applicants believe that the fees submitted herewith are sufficient. However, in the event that Applicants are incorrect, please charge any necessary fees to Deposit Account No. 23-2415, referencing Docket No. 28436-701.831.

At the outset, the undersigned Applicants' representative wishes to thank Examiner Smith for the courteous interview conducted on June 28, 2011 in the presence of Applicants' representatives Vern Norviel and Samir Elamrani as well as Dr. Martin Reese, one of the inventors on the subject application. The above amendments are offered consistent with the discussions with the Examiner. The substance of the interview is further discussed below.

I. STATUS OF CLAIMS

Upon entry of this paper, claims 1-32 will remain pending in this application, with claims 1, 4-12, 15, 16, 18, 19, 21, 24, 25, and 31 currently under examination and 2, 3, 13, 14, 17, 20, 22, 23, 26-30, and 32 having been withdrawn from consideration. Claims 1 and 9 have been amended and support for the amendments can be found in at least paragraphs [0039], -[0068] and [0073] of the published application. No new matter is introduced by these amendments. Accordingly, entry of the amendments is proper and respectfully requested.

Applicants offer the above amendments solely for the purpose of expediting allowance of the subject application. Applicants have not dedicated or abandoned any unclaimed subject matter and moreover have not acquiesced to any rejections and/or objections made by the Patent Office. Applicants reserve the right to pursue prosecution of any presently excluded subject matter in one or more continuation and/or divisional applications.

II. CLAIM REJECTIONS UNDER 35 U.S.C. § 112

The Examiner has rejected claims 1, 4-12, 15, 16, 18, 19, 21, 24, 25, and 31 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. This rejection is respectfully traversed for at least the following reasons.